

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

LAWRENCE L. CRAWFORD, also known  
as Jonah Gabriel Jahjah T. Tishbite;  
EDGAR CASTRO, SR.; CARNELL  
DAVIS; and JONATHAN WILLIAMS,

Petitioners,

v.

9:08-CV-1287 (LEK/ DRH)

STATE OF NEW YORK; STATE OF NEW  
JERSEY; STATE OF N. CAROLINA;  
STATE OF OHIO; STATE OF SOUTH  
CAROLINA; and STATE OF GEORGIA,

Respondents.

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**DECISION AND ORDER**

This matter comes before the Court following a Report-Recommendation filed on January 16, 2009 by the Honorable David R. Homer, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 5). After ten days from the service thereof, the Clerk has sent the entire file to the undersigned, including the objections by the Petitioners, which were filed on February 2, 2009. Objections (Dkt. No. 6).

It is the duty of this Court to “make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b). “A [district] judge . . . may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” Id. This Court has considered the objections and has undertaken a de novo review of the record and has determined that the Report-Recommendation

should be approved for the reasons stated therein. Since the petition is being dismissed, the Motion to consolidate (Dkt. No. 3) is denied as moot.

By letter Motion filed on February 12, 2009, Petitioner Jonathan Williams requests to be removed as a party to this action. Dkt. No. 8. Williams does not provide any basis for this request. As Williams brings this request only after the filing of the Magistrate's Report-Recommendation which recommends dismissal of the petition, and the Court is adopting that Report-Recommendation, the Motion is denied as moot.

Accordingly, it is hereby

**ORDERED**, that the Report-Recommendation (Dkt. No. 5) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

**ORDERED**, that the Petition for a Writ of Habeas Corpus (Dkt. No. 1) is **DISMISSED**; and it is further

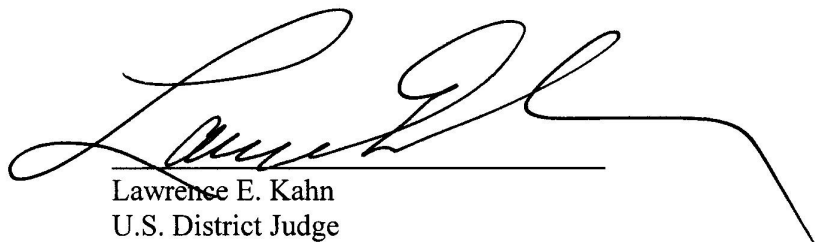
**ORDERED**, that Petitioners' Motion to consolidate cases (Dkt. No. 3) is **DENIED** as moot; and it is further

**ORDERED**, that Jonathan Williams' letter Motion requesting to be removed as a party to this action (Dkt. No. 8) is **DENIED** as moot; and it is further

**ORDERED**, that the Clerk serve a copy of this Order on all parties.

**IT IS SO ORDERED.**

DATED: February 17, 2009  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge